

Message Text

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ACTION EUR-12

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FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 5398

INFO SECDEF WASHDC

USCINCEUR

JCS

C O N F I D E N T I A L THE HAGUE 1206

E.O. 11652: NGDS

TAGS: MASS, NL

SUBJECT: STATUS OF OFFSHORE PROCUREMENT (OSP)

AGREEMENT WITH NETHERLANDS

REF: STATE 038657

1. EMB AND EUCOM REPS MET WITH DUTCH MFA AND MOD REPS
MARCH 6 TO INFORMALLY DISCUSS APPLICABILITY OF 1954 OSP
AGREEMENT TO LOC-RELATED PROCUREMENT IN NETHS.

2. DUTCH MOD REPS TOOK POSITION THAT STRICTLY SPEAKING
1954 AGREEMENT IS NO LONGER IN FULL FORCE AND EFFECT IN
THAT MUTUAL SECURITY PROGRAM HAS TERMINATED AS FAR AS
NETHS IS CONCERNED. HOWEVER, DUTCH MFA REP WAS QUICK
TO NOTE THAT THE AGREEMENT IS STILL VALID IN THAT DUTCH
MILITARY FORCES CONTINUE TO UTILIZE EQUIPMENT (HE CITED
CENTURIONS) PROVIDED NETHS UNDER IS PROVISIONS. MORE-
OVER, BOTH MFA AND MOD REPS ACKNOWLEDGED THAT US
CONTINUES TO DIRECTLY PROCURE GOODS AND SERVICES IN
NETHS FOR US FORCES UNDER THE AGREEMENT, AND THAT GON
ACQUIESCENCE IN THIS PRACTICE CONSTITUTES DE FACTO
RECOGNITION OF AGREEMENT'S CONTINUED VALIDITY. DUTHC REPS
ALSO ACKNOWLEDGED THAT 1954 AGREEMENT IS BROAD ENOUGH TO
AUTHORIZE US INDIRECT PROCUREMENT THROUGH MOD.

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3. PROBLEM FOR DUTCH IS FORMALLY STIPULATING THAT 1954
OSP AGREEMENT WOULD APPLY IN PERIODS OF TENSION AND WAR.
US SIDE NOTED THAT AGREEMENT'S TERMS ARE APPLICABLE
UNDER ANY AND ALL CONDITIONS (I.E. WAR OR PEACE).

4. US SIDE TALBED NEW DRAFT TECHNICAL PROCUREMENT
AGREEMENT WHICH EXPRESSLY REFERS TO APPLICABILITY OF 1954
AGREEMENT TO LOC-RELATED PROCUREMENT AND PROVIDES
ADDITIONALLY FOR REQUISITIONING PROCEDURES UNDER
MOD AEGIS IN PERIODS OF EMERGENCY AND ARMED HOSTILITIES.

5. AFTER EXTENDED DISCUSSION, DUTCH SIDE INDICATED THAT:
COMMON OBJECTIVE IS MUTUALLY SATISFACTORY ARRANGEMENT FOR
US LOC-RELATED PROCUREMENT; SUBSTANCE OF NEW US DRAFT
TECHNICAL AGREEMENT APPEARED TO BE ACCEPTABLE AND WOULD
BE SYMPATHETICALLY STUDIED, AND MFA WOULD BE BACK IN
TOUCH WITH EMBASSY IN DUE COURSE.
GOULD

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